

Strategy – Fees to increase enforcement capabilities of law enforcement with regard to speeding¹

General Description

A review of 2003 data from the State Highway Patrol (SHP) indicates the following: 1) the total SHP budget for FY 2003 was \$180, 443, 587.00; 2) in 2003, SHP officers put in a total of 2,495, 622 hours; 3) in 2003, 955, 328 hours were spent on “prevent patrol” which is the SHP description of the type of patrol that targets speeders; 4) “prevent patrol” hours equal 38.2% of the total hours; and 5) in 2003, SHP issued 333, 725 speeding tickets.

This strategy focuses on providing resources to law enforcement to increase their presence on the highways and to write more citations for speeding. In order for the possibility of a speeding citation to act as a deterrent to speeding, the financial impact on the motorist must be increased and the likelihood of being caught must be increased. This is a proposal for a pilot program for the SHP that if successful could be expanded to other law enforcement agencies across the State.

The figures cited above indicate that it costs approximately \$68.9 million to fund the “prevent patrol” hours (38.2% of the total SHP budget). This comes to a total of \$206.46 per speeding citation issued.² North Carolina law requires all fines to go to the local school board. However, enforcement costs can be collected and kept by the enforcement agency or the body which has authority over the agency. The intent here is to add a fee of \$206.46 to each citation, in addition to existing fines and or court costs. This will generate approximately \$68.9 million to increase the number of officers, thus increasing the presence (risk of getting caught) of officers on the highways. It also will increase the financial impact on the offending motorist, further deterring speeding.

Technical Attributes

Target	Per speeding citation fee to cover the cost of enforcement by the SHP and allow the legislature to expand the number of officers by a similar amount.
Expected Effectiveness	When the SHP has done targeted prevent patrolling along given stretches of highway (e.g. an extra 50 officers for six days along I-95), it has been able to dramatically impact the rate of speeding and reduce the number of fatalities along that stretch of road. The extrapolation is that a significant increase in the number of officers on the highway and citations issued will result in a lowering of overall speeds and a decrease in fatalities.
Keys to Success	<ul style="list-style-type: none">• Specific calculation by fiscal analysts with SHP of the exact cost attributable to each citation issued.

¹ This document was drafted by a member of the Attorney General’s staff assigned to the Speed Working Group at the request of the Department of Transportation. It does not reflect any opinion of the Attorney General and is not legal advice of any kind.

² These calculations were not prepared by a budgetary analyst and are used as examples only. Additional citations were undoubtedly issued for types of offenses other than speeding during “prevent patrol” hours and a certain portion of the total budget may go to overhead that would not increase if the number of citations and/or officers were to increase. Additional fiscal analysis will be necessary to provide an accurate figure for the enforcement cost of each speeding ticket.

	<ul style="list-style-type: none"> • Education of legislature on how this additional source of funds can and should be used to expand the number of SHP officers. • Public education involving news and print media.
Potential Difficulties	Legislators may view this additional fee as a “tax” and must be educated that only those violating the law will be forced to pay it. Also, school boards may attempt to claim the additional fee is actually a fine.
Appropriate Measures and Data	<ul style="list-style-type: none"> • Numbers and types of citations. • Numbers of officers on special/dedicated patrol and officer time spent on prevent patrol. • Disposition of citations issued. • Future numbers of crashes, particularly along interstates and major highways where the SHP has its strongest presence.
Associated Needs	Accurate analysis from fiscal experts to both set the fee at the correct level and provide additional numbers to make the case to General Assembly.
Organizational, Institutional, and Policy Issues	SHP needs to prepare for the possibility of a substantial increase in its number of officers. After expert review of the data, this increase will undoubtedly be significantly less than 38.2%, but it could well be 20% or more. In addition, consideration should be given to what data can be culled from the Administrative Office of the Courts to see whether judicial costs should be incorporated into this fee. More tickets issued will mean more court time taken. Some of the money could be used to finance special traffic courts.
Issues Affecting Implementation Time	Given the need for legislative approval and recruitment and training of new officers (and possibly court officials if any money is diverted to judicial processing of the citations), it will take a number of years to fully implement. If legislative authority for the pilot program were granted in the 2005 Session, it would probably take 2-4 years for the SHP to recruit and train qualified candidates for the SHP.
Costs	Implemented effectively, there should be little or no cost to beginning this program. The intent of the program is to make increased speeding enforcement more or less self-funding. If, in any given year, the costs are not quite covered by the fees collected, the fee can be increased for each ticket issued the following year.
Legislative Needs	Legislation authorizing the program and allowing the fee to be adjusted on an annual basis so that the SHP does not have to return to the legislature each year simply to make sure the fee covers the cost of each speeding citation.